

Governor's Traffic Safety Advisory Commission (GTSAC)

Tuesday, March 1, 2022

9:00 a.m.

DRAFT MEETING MINUTES

MEMBERS PRESENT	REPRESENTING
Alicia Sledge	Office of Highway Safety Planning
Michael Poulin	Muskegon County Sheriff's Office
William Miller	Local Representative?
Ron Wiles	Local Representative
Linda Scarpetta	Michigan Department of Health and Human Services
Ashley Ellsworth	Health and Aging Services Agency
MEMBERS ABSENT	REPRESENTING
Steve Kiefer	Governor's Office
Maj. Joseph Brodeur	Michigan Department of State Police
Gregg Brunner (virtual)	Michigan Department of Transportation
STAFF SUPPORT	REPRESENTING
Kimberlee Kenyon	Office of Highway Safety Planning

CALL TO ORDER

The GTSAC meeting was called to order by Acting Chair, Ms. Alicia Sledge at 9:00 a.m.

WELCOME AND INTRODUCTIONS

Ms. Sledge welcomed everyone to the meeting. Commissioners gave brief introductions to everyone in attendance.

APPROVAL OF MEETING MINUTES

Mr. Miller made a motion to approve the minutes of the December 7, 2021 [meeting](#); Chief Wiles supported; [all ayes](#); motion carries.

LEGISLATIVE UPDATE— Sgt. Travis Fletcher, MSP

Passed Legislation

House Bills 4308, 4309, 4219, and 4220 – OWI Package

- 4308 and 4309 Eliminated .08 BAC sunset – Signed into law (PA 80 and PA 81) and had an effective date of October 1, 2021.
- 4219 allows conviction set aside for OWI 1st – Signed into law (PA 78) and has an effective date of February 19, 2022.
- 4220 extends application period to 5 years – Signed into law (PA 79) and has an effective date of February 19, 2022.

House Bills 4201, 4202, 4203, and 4204 – School Bus Package (Bi-Partisan)

- Prohibit unauthorized person from entering a school bus without permission
- Allows stop-arm cameras on bus – civil infraction for passing while activated
- Modifies painting of school buses
- Allows stickers to be affixed to the side of a bus advising unauthorized persons are prohibited from entering a school bus without permission
 - Allows sticker notice of prohibited unauthorized person from entering school bus and issuance of \$500.00 civil fine for violators.

The bills were signed into law since the last meeting (PA 49, PA 50, PA 51, and PA 52) all with an effective date of October 11, 2021

House Bill 4627 Replaced by SB 438

- Clean-up bill exempting OWI from the requirement to issue and appearance ticket.

Among its provisions, 2020 PA 393 requires police officers to issue an appearance ticket to a person arrested for most misdemeanor offenses and release the person from custody. Certain misdemeanors are excluded, such as those involving domestic violence, the subject of a personal protection order, an assaultive crime, or serious misdemeanors, and those with a maximum penalty of more than one year in jail. Another provision in the new law creates a process by which, if certain conditions are met (including that property or another person could be endangered if the arrested person were released from custody), an officer may take the person before a magistrate and file a complaint, which would allow the officer to take the person into custody.

Senate Bill 438 amends the Code of Criminal Procedure to exempt operating while intoxicated (OWI) offenses from the requirement to issue an appearance ticket and release a person from custody for certain misdemeanor offenses.

PA 39 of 2021 Effective July 1, 2021

Moving Legislation

House Bill 4014 – Speed Limits

- Modify required analysis for min and max speed limits. Require speed to be set below the 85th percentile if engineering and safety study demonstrate safety hazard at 85th.

House Bill 4165 – Mackinac Bridge / Tractors and Farm Equipment

- Requires bridge authority to allow tractors and farm equipment meeting certain requirements to cross the bridge as opposed to being trailered and inspected.

2/4/21 Introduced by Rep. Johnson and referred to House Transportation.

12/7/21 Received hearing in Transportation. No vote.

House Bills 4277, 4278, and 4279 – Distracted Driving Package – Hands Free (Bi-Partisan)

- Together, would prohibit an individual from using a mobile electronic device while operating a motor vehicle or bus.
- Prohibit the viewing, recording, or transmitting of videos on mobile devices while operating motor vehicle or school bus.
- There is a list of exemptions to the prohibitions
- Violation would be a civil fine and community service
 - Doubled fine if determined cause of crash – use during time of crash
 - Up to 90-day SOS suspension if driver is responsible for 3 or more violations within 3-year period.
 - 1st violation - \$100- or 16-hours community service
 - 2nd violation – 1 point \$250- or 24-hours community service
 - 3rd and subsequent violations – 2 points

2/23/21 Introduced by Rep. Manoogian and assigned to House Judiciary

6/22/21 H-1 substitute adopted / Third reading

1/25/22 Third Reading (H-2) & (H-5) Adopted

1/25/2022 Passed: 75Y 26N 5NV - Referred to Judiciary and Public Safety

House Bill 4701 – Oral Fluid Testing

- The bill would amend several provisions of the Michigan Vehicle Code regarding drunk or drugged driving to define the term “other bodily fluid” and apply provisions pertaining to the preliminary breath tests (PBT’s) and chemical tests also to oral fluid field tests and other bodily fluid, respectively.
- H-1 Sub addresses changes to make testing preliminary as opposed to evidentiary.

Further meetings and discussion taking place and MSP is watching this bill closely.

4/22/21 *HB was introduced and referred to House Judiciary*
1/25/22 *HB 4701 receiving hearing in House Judiciary*

House Bill 4997/ 4998 – Left-turn Lane / Passing

- Driver shall not drive in a two-way left-turn lane for overtaking and passing another vehicle or for traveling.
- Would be used for immediate left turn only
- Civil infraction
- TIE BAR together

6/15/21 *Introduced on 6/15/21 by Rep Sneller and O'Malley*
10/27/21 *House vote: Yeas 95 Nays 11 Excused 0 Not Voting 3*

House Bill 5272 & 5284 - AWZSE

- Automated Speed Enforcement System – Construction Zones
- HB-5272 seeks to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2020 PA 382, and by adding sections 2c and 627c.

11/30/21 *HB-5272 recently heard testimony in Judiciary Committee – Committee members expressed many concerns with bill as written.*

House Bill 5370 – Traffic / Left Turn

- A driver of a vehicle not at an intersection who intends to turn left across an oncoming lane must yield the right of way to an approaching vehicle.

10/6/21 *Introduced by Rep. VanSingel*
12/14/21 *Passed 93Y 10N 4NV*
1/12/22 *Referred to Senate Transportation*

Senate Bill 875 – Prohibits Automated Traffic Signal Enforcement

- Prohibits the use of traffic cameras/censor signals for traffic enforcement.
- Expressly prohibits automated enforcement of 257.612

2/15/22 *Introduced Sen. Theis & referred to Transportation and Infrastructure*

Senate Bill 706 – Automated Vehicle Roadway System (Bi-Partisan)

- Allows Michigan Council on Future Mobility to conduct, or contract with a third-party vendor to conduct a study to analyze the impact that the development, construction, or implementation of an automated vehicle roadway, automated vehicle roadway system, or related infrastructure would have on the state.
- Allows MDOT to designate a section of roadway to be used for this study/ project.
- Allow for the enforcement of unauthorized drivers utilizing prohibited lanes.
- Establishes certain standards and defines liabilities.

10/27/21 *SB706 was introduced and referred to Committee on Economic and Small Business Development.*
12/14/21 *S-1 recommended favorable to the Committee of the whole*
1/27/22 *Adopted / Passed: 33Y 4N 1EX – Referred to House Transportation*

PEOPLE v PERRY

The court decision in PEOPLE v PERRY provides guidance on the enforcement and application of these statutes surrounding impaired driving.

Based on the court decision, persons under the age of 21 remain subject to criminal penalties for being under the influence of marihuana while driving, for consuming marihuana while operating a vehicle, or in the case of PERRY, for operating a motor vehicle with the presence of “any amount” of marihuana in their system. This would be a violation of MCL 257.625(8).

This court ruling is not applicable to persons 21 years of age or older and those persons should not be prosecuted solely for having the presence of “any amount” and unless there is evidence the marihuana had “some effect” on that person.

PRESENTATIONS

GTSAC Commissioner Service Recognition

Ms. Sledge presented former commissioner Rachel Telder with a plaque to honor her three years of service to the commission.

MDHHS Biospatial Database – Emily Bergquist

Ms. Bergquist provided a PowerPoint presentation that included a brief history of the Biospatial Database, which is a data-driven analytics tool.

- MDHHS has a partnership and data-use agreement with Biospatial
- The platform can digest and store multiple data sources
 - EMS
 - Crash (currently analyzing 2021)
 - Trauma
- Data Languages
 - Shared Definitions
 - For Crash – UD10
 - For EMS – National EMS Information System (NEMSIS)
 - For Trauma – National Trauma Data System (NTDS)
- Access
 - Limited through MDHHS (Specific to users and data owners)
 - Paid subscriptions through Biospatial for other organizations
 - Federal Government
 - Hospital Systems

Ms. Bergquist provided an overview of the program’s dashboards, specifically the Motor Vehicle Crash Dashboard, to give the attendees an idea of what the database looks like and the various data it can provide.

ACTION ITEMS

Selection of GTSAC Awards Recipients

Mr. Miller motioned to approve the GTSAC Awards Committee recommendation; Sheriff Poulin supported the motion; all ayes; motion passed

DISCUSSION ITEMS

Commissioners agreed to schedule a Committee of the Whole meeting to discuss the selection criteria for the 2022 Traffic Safety Awards.

STANDING REPORTS

Michigan Department of State

Traffic Safety Messaging

Since December, the Traffic Safety Section has identified, developed, and implemented traffic safety educational messaging on:

- Speed Management (January – February)
- Winter Driving (January – February)
- RiderCoach Recruitment (March – indefinite)
- Vehicle Recalls (March)

Messaging has and continues to support Michigan and national campaigns, current and emerging issues, new laws, etc. Tactics utilized to promote and implement traffic safety education initiatives have included Motor Vehicle Network messages in branch offices, social media posts, Public Service Announcements via the Department of State Information Center hold loop, and promotion of campaign assets to Driver Education Providers and other partners. The Michigan Department of State promotes traffic safety issues and awareness throughout the year. Please follow us on social media (links below) and watch for traffic safety messaging. Please like, share, and retweet messages to help us spread this important information widely with the goal of preventing traffic crashes, injuries, and fatalities.

Twitter: <https://twitter.com/MichSoS>

Instagram: <https://www.instagram.com/michigansos>

Facebook: <https://www.facebook.com/MichiganSoS>

Entry-Level Driver Training – CDL

Entry-Level Driver Training (ELDT) is a set of minimum Federal requirements for training that an entry-level driver must complete prior to taking certain CDL skills or knowledge tests. “Entry-level” drivers are considered those who:

- Obtain a Class A CDL or Class B CDL for the first time
- Upgrade an existing Class B CDL to a Class A CDL
- Obtain a school bus (S), passenger (P), or hazardous materials (H) endorsement for the first time

These ELDT requirements apply to individuals who obtain a commercial learner’s permit (CLP) either on or after the implementation date, which was February 7, 2022. Those who were issued a CDL or an S, P, or H endorsement prior to February 7, 2022 are not required to complete Entry-Level Driver Training for the respective CDL or endorsement. These ELDT regulations also do not apply to certain individuals excepted from the CDL requirements under 49 CFR part 383.

This includes:

- Individuals applying under § 383.3 (c), (d), or (h)
- Individuals applying for a restricted CDL under § 383.3(e) through (g)
- Military personnel who meet all requirements and conditions of § 383.77
- Individuals applying for removal of a restriction in accordance with § 383.135(b)(7)

Legislation to Enable Military Training to Count Toward Civilian Commercial Driver's Licenses (CDL's)

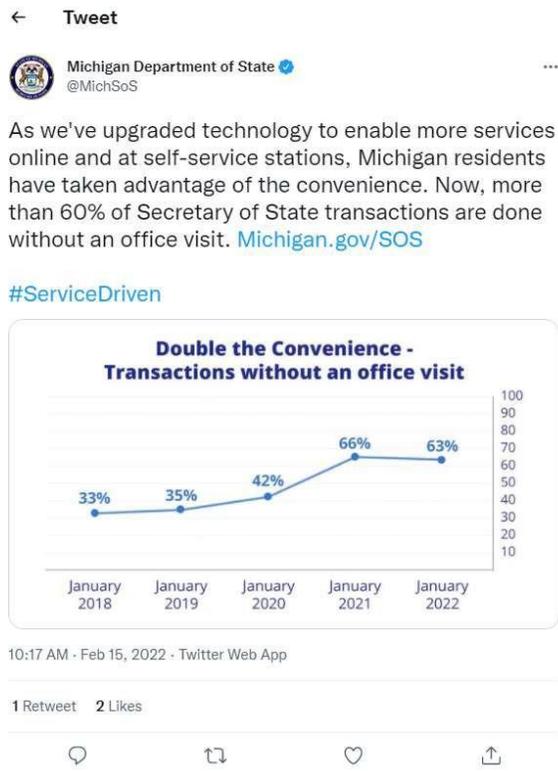
Public Act 148 of 2021 became effective December 27, 2021. It enables an individual with military commercial vehicle experience to waive their knowledge test required for the issuance of a commercial driver license, if the individual certifies and provides satisfactory evidence that they met all the Federal requirements for a CDL during the two-year period before the date of application for the CDL.

Motorcycle Safety and Education Awareness Fund

Annually, \$300,000 of the Motorcycle Safety and Education Awareness Fund is allocated to promote motorcycle awareness, safety, and education. Gud Marketing has been contracted to develop and implement the comprehensive communication campaign *directed at* vehicle drivers in the 20-29 age group, because they represent the greatest risk to motorcyclists. The goal is to reach the target audience with the message and to reduce and prevent crashes, injuries, and fatalities of motorcyclists involved with multi-vehicle crashes.

Service Driven Update

Michiganers are now conducting 60 percent of all transactions without visiting an office, up from just 28 percent in 2018. More than 150 new self-service stations have been installed throughout the state, many at grocery stores open nights and weekends. The shift to an appointment system has resulted in average visit taking 20 minutes or less. The new system and technology upgrades are so effective that now, even when residents visit an office without scheduling ahead, most – about 2,500 people each day – are served immediately. The few who arrive when offices are busy are assisted in scheduling a return visit convenient for them, usually for the same day or next day. Resident feedback reflects the ease of these experiences, with reviews averaging four out of five stars, more than ever before.



To order physical copies of this poster, please fill out the [Poster Request Form](#). Printer version of the National Work Zone Awareness Week poster is available for download in [PDF](#) format.

The Michigan event, being held April 11th at 11 am at CA Hull, will not only be making the public aware through local media but also honoring all of the people who lost their lives while driving through Michigan Work Zones in 2021 including the 3 workers who lost their lives while working on our construction projects. This year's event will have speakers from the following entities:

- MDOT
- MSP - Michigan State Police
- MITA – Michigan Infrastructure & Transportation Association
- ATSSA – American Traffic Safety Services Association
- Consumers Energy
- MIOSHA
- Special Guests

On Wednesday April 13th Michigan will also be participating in National “GO ORANGE DAY!” We encourage everyone to wear orange to help support the goal of Work Zone Safety and to drive Michigan Towards Zero Deaths”!

Infrastructure Investment and Jobs Act (IIJA)

Among many new items, the recent funding legislation, IIJA, has introduced the Vulnerable Road Users (VRU), who are users that have less protection, and are at more risk in traffic. These include pedestrians, [bicyclists](#), and motorcyclists. Children, the elderly, and disabled people are considered especially vulnerable groups of people, since they have physical disadvantages compared to an average road user. As part of the legislation 15% or more of HSIP funds (safety funds) will have to go toward VRU improvements if 15% or more of fatalities are VRUs. Since 2008 Michigan has averaged 17.95% for non-motorized. As a state we state we are moving in the right direction with the recent completion of the Synthesis of National Best Practices on Pedestrian and Bicycle Design, Guidance and Technology Innovations research, near completion of the UMTRI Ped/Bike Risk Model update, and the kickoff of the Effective Pedestrian/Non-Motorized Crossing Enhancements Along High-Speed Corridors research.

The IIJA also requires MDOT to complete a Vulnerable Road User assessment in the next two years and incorporate future updates in the SHSP update process. The assessment is required to include a quantitative analysis of vulnerable road user fatalities and serious injuries (including data such as location, roadway functional classification, design speed, speed limit, and time of day; considering demographics of the locations of fatalities and serious injuries; and identifying areas as “high-risk” to vulnerable road users); and a program of projects or strategies to reduce safety risks to vulnerable road users identified as high-risk. When carrying out a vulnerable road user safety assessment, states are to take into consideration a safe system approach (i.e., a roadway design that emphasizes minimizing road users’ risk of injuries or fatalities, takes human error into consideration, accommodates human injury tolerance, and considers vulnerable road users. In addition, the state shall consult with local governments, MPOs and regional transportation planning organizations that represent high-risk areas identified in the data analysis.

Michigan Department of Health and Human Services -Linda Scarpetta

Ms. Scarpetta provided an update on the activities at the Department of Health and Human Services and its continued efforts to address the opioid overdose epidemic. As things open back up, they are hopeful that child passenger safety training opportunities and child car seat inspections will continue to increase across the state.

Local Representative - William Miller

Mr. Miller advised the commission regarding HB 5734 which will go to the Transportation Committee next week. The bill calls for concrete barriers for night construction as an added measure of protection for workers.

Local Representative – Chief Wiles

Chief Wiles discussed traffic safety training for local law enforcement and the focus on best practices to address the increase in traffic crashes and fatalities.

Local Representative - Sheriff Poulin

Sheriff Poulin shared that he was selected to serve on the executive board of the Michigan Sheriff's Association. The Association just received its talking points regarding the Secondary Road Patrol funding for the Michigan Senate hearing. Michigan's county sheriffs would have more stable and permanent funding to support road patrols in rural Michigan communities.

Chair's Report/Office of Highway Safety Planning — Alicia Sledge

Personnel & Staff: OHSP is awaiting MSP approval to proceed with filling several staff vacancies, specifically the OHSP Division Director and two Section Manager positions.

Michigan Traffic Crash Data Update

Attached is the Michigan Traffic Crash Progress Status Report from MSP CJIC for calendar year 2021 as of 02/27/22 crash processing in relation to 2020 and 2019 processing over the same time frame.

Compared to 2020, 2021 fatalities are up 5%, serious injuries are up 10%, total crashes are up 15% and truck/bus crashes are up 26%.

Compared to 2019, 2021 fatalities are up 17%, serious injuries are up 6%, total crashes are down 10%, and truck/bus crashes are down 10%.

Year	Fatalities	Serious Injuries	Total Crashes	Truck/Bus Crashes
2021	1,123	5,966	291,673	14,262
2020	1,072	5,418	253,122	11,334
2019	962	5,635	322,852	15,776

Also attached is the Michigan Traffic Crash Progress Status Report from MSP CJIC for calendar year 2022 as of 02/27/22 crash processing in relation to 2021 and 2020 processing over the same time frame.

Compared to 2021, 2022 fatalities are up 38%, serious injuries are down 0%, total crashes are up 10% and truck/bus crashes are up 14%.

Compared to 2020, 2022 fatalities are up 8%, serious injuries are down 5%, total crashes are down 7%, and truck/bus crashes are up 12%.

Year	Fatalities	Serious Injuries	Total Crashes	Truck/Bus Crashes
2022	110	547	41,519	1,832
2021	80	548	37,713	1,614
2020	102	573	44,883	1,632

Drug Recognition Expert (DRE) Program: OHSP held the 11th DRE School in January/February which resulted in 13 new DREs in Michigan. The DRE Steering Committee will now begin discussions on the possibility of conducting the 12th DRE School later this year.

Winter Driving Symposium: Jamie Dolan, OHSP's Upper Peninsula Regional Coordinator, worked with traffic safety partners to conduct a Virtual Winter Driving Symposium on February 22nd. The symposium included great speakers and presentations on Driving in Michigan in Winter; Communicating Messages; Crash Investigation and Reporting; Winter Maintenance; a National Weather Service Overview; and What You Need to Know About Tires for Winter Driving.

Speed Enforcement: OHSP-funded speed enforcement was conducted from December 1, 2021 – February 28, 2022. OHSP launched a new paid advertising campaign which included earned media and social media components to raise public awareness and encourage voluntary compliance with speed laws.

NHTSA Region 5 Toxicology Liaison: The National Highway Traffic Safety Administration (NHTSA) Region 5 Office held a meeting to introduce OHSP and MSP's Toxicology Lab Coordinator to the new Regional Toxicologist Liaison, Sabra Jones. The meeting allowed Michigan partners to learn about the RTL responsibilities and educate her on Michigan's toxicology processes, issues, and questions.

Drugged Driving Campaign: OHSP will be launching a Drugged Driving media campaign from March thru May 2022. The campaign will use the last year's creative items which will include promotion via social media, billboards, ConnectedTV, and radio.

Secondary Road Patrol Program: OHSP is hosting an SRP Commercial Motor Vehicle Enforcement for the Non-FMCSA Certified Officer on April 15 at the Livingston County Public Safety Complex.

Teen Driving Event: The Strive for a Safer Drive (S4SD) high school traffic safety program has 38 high schools signed up to participate for the 2021-2022 school year. OHSP is partnering with the Transportation Improvement Association and Ford Motor Fund to hold a hands-on teen driver event at the MSP Drive Track on May 14-15. Registration will be done through Ford Website and will be expanded to the public after the S4SD schools sign up to participate.

PUBLIC COMMENT

No public comments.

ADJOURNMENT

Mr. Miller motioned to adjourn; Sheriff Poulin supported the motion; motion passed
Meeting adjourned at 10:38 a.m.

The next meeting is scheduled for Tuesday, June 7, 2022.